

To: Clerk of the U.S. Dist. Ct.

Fr: William Joseph Webb Jr.  
# 256056 / 17 SHU CL12  
1181 Paddock Road  
Smyrna, DE 19977

Case # : 07-31-GMS

Re: Filing of Motion and Settlement proposal.

December 4, 2007

Dear Clerk,

Please find the enclosed and docket them  
in the above-referenced case.

Thank you and Happy Holidays if you  
celebrate!

Respectfully,

Will J. Webb Jr.

In The United States District Court  
For The District Of Delaware

William Joseph Webb Jr.,  
Plaintiff,

v.

First Correctional Medical,  
Et. Al.,  
Defendants.

Civ. Act. No. : 07-31-GMS

Jury Trial Requested

Motion for Default Judgment Against CMS,

Dr. Niaz, and Gina Wolken,

(Pursuant to Fed. R. of Civ. Proc. Rule 55)

Comes now, Plaintiff, William Joseph Webb Jr. respectfully requesting the Court grant an Entry of Default Judgment against CMS, Dr. Niaz, and Gina Wolken for the following good cause shown:

1. Failure to answer interrogatories under Law means that the Defendant(s) have admitted guilt.

2. Plaintiff explicitly stated that failure to produce would result in an automatic default judgment against said defendants.

3. Plaintiff gave defendants one thirty day extension as a good gesture and defendants still refused to exercise due diligence.

4. Court can grant default where a defendant's culpable conduct and failure to present a meritorious defense can easily resolve the issues presented.

5. Plaintiff has shown good cause for the entry of a default judgment against said defendants.

### Relief;

1. Compensatory damages in the amount of the costs for the diagnosis and treatments of Plaintiff's Hepatitis C; also prepayment of health care for Plaintiff prior to His release from prison at a medical health care provider chosen by Plaintiff.

2. Punitive damages for the deliberate indifference claim in the amount of \$ 500,000.00.
3. Punitive damages for the cruel and unusual punishment claim in the amount of \$ 500,000.00.
4. Injunctive relief from CMS to keep trying to provide health care to Plaintiff by transferring Him to the doctor or specialist that is requested on His sick call slip filed through the in-house mail format.
5. Court costs.
6. Court ordered relief that the Court may deem appropriate.

Therefore, Plaintiff respectfully requests that the Court grant said motion and order an entry of default judgment against defendants, CMS, Dr. Wier, and Gins Wolken. Also, issue an order for a Pre Trial Conference against the State Defendants.

Dated: November 28, 2007

Respectfully Submitted,

William Joseph Webb Jr.

William Joseph Webb Jr.

# 256056 / SHU 18 C06

1181 Paddock Road

Smyrna, DE 19977

Certificate of Service

I, William J. Webb Jr. hereby certify that I have served a true and correct copy(ies) of the attached Motion for Default Judgment Against CMS, Dr. Niaz, and Gina Wolken upon the following:

To: Catherine Damsvandi  
820 North French Street  
Wilmington, DE 19801

To: Dr. Ali  
1301 East 12th Street  
Wilmington, DE 19801

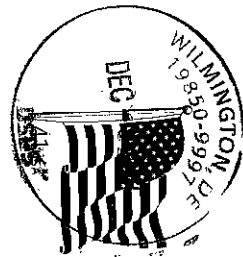
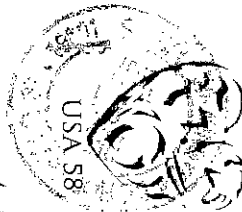
To: Patrick G. Rock  
913 Market Street Ste. 800  
Wilmington, DE 19801

To: First Correctional Medical  
205 Giacconda Way Ste. 115  
Tucson, AZ 85704

By placing same in a sealed envelope, and depositing in the U.S. Mail at D.C.C. Smyrna, DE on this 28<sup>th</sup> day of November, 2007.

William J. Webb Jr.

IM William Joseph Webb Jr.  
SBI# 256056 UNIT 17 SHU C112  
DELAWARE CORRECTIONAL CENTER  
1181 PADDOCK ROAD  
SMYRNA, DELAWARE 19977



Clerk of the U.S. District Court for Delaware

844 King Street

Lockbox 18

Wilmington, DE

19801

U.S.M.A.  
EXPAY

In The United States District Court  
For The District Of Delaware

William Joseph Webb Jr.,  
Plaintiff,

v.

First Correctional Medical,  
Et. Al.,  
Defendants

Civ. Act. No. : 07-31-GMS

Jury Trial Requested

Settlement Proposal For State Defendants

Gov. Ruth Ann Minner and Stanley Taylor.

Comes now, Plaintiff, William Joseph Webb Jr.  
in making a settlement offer that will benefit  
State Defendant's Gov. Ruth Ann Minner and State  
Defendant's Stan Taylor's Honor and Integrity as  
follows :

1. By accepting this proposal no admittance of



guilt by either party will be incorporated into these proceedings.

2. Plaintiff will sign a Confidentiality agreement as to the terms of this settlement.

3. Plaintiff reserves the right to have the case reopened if Defendants Breach Agreement(s) entered into; or an alternative default judgment.

4. Plaintiff makes this agreement as a good gesture and will to preserve the embarrassment of a trial where the evidence is overwhelming.

### Relief Proposed:

Gov. Ruth Ann Minner — \$50,000.00 and an agreement that she will not refuse to sign a pardon, with payments in the amount of \$1,000.00 per month.

Stan Taylor - \$50,000.00 with the payments being determined so He does not have to suffer a financial hardship and is equitable to these proceedings.

If you agree to the terms, payments shall start after Stan Taylor submits to a payment plan that He can afford per month to start no later than January 31, 2008.

Dated: \_\_\_\_\_

\_\_\_\_\_  
William J. Webb Jr.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Governor Ruth Ann Minner

Dated: \_\_\_\_\_

\_\_\_\_\_  
Stanley W. Taylor

Certificate of Service

I, William J. Waldo Jr. hereby certify that I have served a true and correct copy(ies) of the attached settlement proposal to State Defendants upon the following:

To: Catherine Damavandi

820 North French Street  
Wilmington, DE 19801

To: Dr. Ali

1301 East 12th Street  
Wilmington, DE 19801

To: Patrick G. Pock

913 Market Street Ste. 800  
Wilmington, DE 19801

To: First Correctional Medical

205 Giacunda Way Ste. 115  
Tucson, AZ 85704

By placing same in a sealed envelope, and depositing in the U.S. Mail at D.C.C. Smyrna, DE on this 28<sup>th</sup> Day, of November, 2007.

William J. Waldo Jr.